



Entered on Docket  
December 16, 2009

A handwritten signature in dark ink, appearing to read "L. B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

Electronically Filed on \_\_\_\_\_

**WILDE & ASSOCIATES**

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U.S. Bank National Association, as successor Trustee to Bank of America, National Association,  
(successor by merger to LaSalle Bank National Association) as Trustee for Morgan Stanley Loan Trust  
2007-8XS

09-75649

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Christopher S. Smith

Debtor

BK-09-23737-lbr

Date: 11/17/09  
Time: 10:30 a.m.

Chapter 13

**ORDER VACATING AUTOMATIC STAY**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor U.S. Bank National Association, as successor Trustee to Bank of America, National Association, (successor by merger to LaSalle Bank National Association) as Trustee for Morgan Stanley Loan Trust 2007-8XS, its assignees and/or successors in interest, of the subject property, generally described as 1070 Stone Arches Dr., Henderson, NV 89052, and legally described as follows:

All that certain real property situated in the County of Clark, State of Nevada, described as follows: Lot Three (3) in Block One (1) on SUNRIDGE PHASE 1 (A COMMON INTEREST COMMUNITY), as shown by Map thereof on file in Book 105 of Plats, page 64 in the office of the County Recorder, Clark County, Nevada.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtor at least five business days' notice of the time, place and date of sale.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby  
2 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of  
3 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured  
4 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

5 DATED this \_\_\_\_ day of \_\_\_\_\_, 2009.

6 Submitted by:

7 **WILDE & ASSOCIATES**

8 By: /s/Gregory L. Wilde, Esq

9 **Gregory L. Wilde, Esq.**  
10 Attorney for Secured Creditor  
11 208 South Jones Boulevard  
12 Las Vegas, Nevada 89107

13 APPROVED / DISAPPROVED

14 By: \_\_\_\_\_

15 David L. Tanner  
16 7472 W. Sahara Ave. #101  
17 Las Vegas, NV 89117  
18 Attorney for Debtor(s)

19 Nevada Bar No: \_\_\_\_\_

20 APPROVED / DISAPPROVED

21 By: \_\_\_\_\_

22 Kathleen A. Leavitt  
23 201 Las Vegas Blvd. So., #200  
24 Las Vegas, NV 89101  
25 Chapter 13 Trustee  
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1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any  
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,  
and each has approved or disapproved the order, or failed to respond, as indicated below  
(list each party and whether the party has approved, disapproved, or failed to respond to the  
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☐ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☐ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☒ failed to respond to the document

16 Other Party: \_\_\_\_\_

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☐ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of  
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which  
22 they have not replied

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor